

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

MOOG INC.,

Plaintiff,

v.

Case No.: _____

SKYRYSE, INC., ROBERT ALIN
PILKINGTON, MISOOK KIM, and DOES NOS.
1-50,

Defendants.

**NOTICE OF MOTION
FOR EXPEDITED
HEARINGS ON TRO AND
PRELIMINARY
INJUNCTION**

PLEASE TAKE NOTICE that, under Local Rule 7(d)(1), Plaintiff Moog Inc. (“Moog”), by and through its attorneys, Sheppard, Mullin, Richter & Hampton LLP and Hodgson Russ LLP, will move before the United States District Court for the Western District of New York, 2 Niagara Square, Buffalo, NY 14202, on **a date to be determined by the Court**, for an Order granting Moog’s Motion for an Expedited Hearing on its Motion for a Temporary Restraining Order and Preliminary Injunction (the “TRO Motion”). Plaintiff respectfully requests that hearings on its motions for a temporary restraining order and a preliminary injunction be held as soon as possible.

GROUND FOR REQUESTED RELIEF

In support of this motion, Moog relies upon the Complaint (and exhibits thereto), the Declarations of Mike Hunter, Todd Schmidt, Jorge Lopez, Paul Stoelting, Ian Bagnald, Jamie Daly, Bruce Pixley, and Mike Johnnie, and the Memorandum of Law filed in support of the TRO Motion. As explained in those filings, an expedited hearing is necessary to prevent immediate and irreparable harm to Moog. Defendants Skyrise, Inc. (“Skyrise”), Pilkington, and Kim

(collectively, “Defendants”) misappropriated Moog’s trade secrets and confidential and proprietary information. Under Pilkington’s instruction, and in coordination with Skyrise, Kim copied and delivered to Pilkington and Skyrise sensitive data files containing Moog’s trade secrets and confidential and proprietary information for the advancement of Skyrise’s business. On information and belief, Defendants are using that information to their competitive and personal advantage.

If Defendants are not immediately enjoined, they will continue to use and disclose Moog’s confidential and trade secret information, breach their contractual and fiduciary duties to Moog, exploit Moog’s confidential and trade secret information to unfairly compete against Moog, and tortiously interfere with Moog’s prospective business relations. Moog will suffer immediate and irreparable harm to their business, reputation, customer relationships, and goodwill. Defendants’ exploitation of Moog’s trade secret, confidential, and proprietary information also raises significant security concerns.

Pursuant to Local Rule 7(d)(1), a party may seek to shorten the schedule prescribed for motions upon good cause shown. For the reasons stated herein, and in the papers supporting the TRO Motion, good cause exists.

WHEREFORE, Moog respectfully requests that the Court schedule expedited hearings on Moog's requests for a temporary restraining order and a preliminary injunction, as set forth in the TRO Motion, on a date and time set by the Court. A proposed Order is submitted herewith.

Date: March 7, 2022

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